

FILE NO.: Z-2502-B

---

NAME: New Africa Development Long-form PCD

LOCATION: Located South of 40<sup>th</sup> Street between Whitfield and Potter Streets

DEVELOPER:

Islamic Center for Human Excellence  
1717 Wright Avenue  
Little Rock, AR 72203

SURVEYOR:

Anderson Surveying  
P.O. Box 129  
Van Buren, AR 72957

ARCHITECT:

WD&D  
400 West Capitol Avenue  
Little Rock, AR 72201

AREA: 13.62 acres      NUMBER OF LOTS: 31      FT. NEW STREET: 0 LF

CURRENT ZONING: PD-R, MF-12 and C-3

ALLOWED USES: Single-family residential, Masjid, School

PROPOSED ZONING: PCD

PROPOSED USE: Single-family residential, Elderly housing, Masjid, School, Community Center, Retail and Office – Approval of a development concept plan

VARIANCES/WAIVERS REQUESTED: None requested.

---

BACKGROUND:

On October 5, 1971, by the adoption of Ordinance No. 12,547, the Little Rock Board of Directors rezoned 12.15 acres from B-Residential to MF-12 and 4.4 acres from B-Residential to F-Commercial which was later changed to C-3, General Commercial.

This action rezoned the property which included the area currently under review for the PCD zoning.

Ordinance No. 19,212 adopted by the Little Rock Board of Directors on October 5, 2004, rezoned an area containing 6-acres from MF-12 to PD-R to allow the development of 22 single-family homes, a mosque and an education building.

A maximum of 50 students were proposed within the education building with five teachers and three (3) support personnel. The hours proposed were from 8:00 am to 5:00 pm five (5) days per week. The worship center would have a maximum seating capacity of 100 persons with daily activities proposed from 5:00 am to 9:00 pm seven (7) days per week.

A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

The applicant is seeking approval of a generalized site plan to allow the future development of this site with a mixed use development. The uses proposed include residential, single-family and elderly housing, a community center, a school, a Masjid, office and retail uses. The single-family homes will be offered on individual lots for sale. The elderly housing will be age limited to persons defined by the federal housing administration as elderly persons. The school is proposed with grades K to 6<sup>th</sup> with a maximum of 100 students, 6-teachers, 1-administrator and 1-secretary. The development is also proposed with a daycare facility with a maximum of 50-children, 1-administrator and 5-aides. Transportation will be provided for the school and daycare children. The proposal includes 1-bus for the school, 1-van for the daycare and 1-van as an alternate.

The applicant has indicated the community center will be available for lease by the community at large. Each person leasing the center will be required to sign a lease agreement at the time of rental. The community center will be available for special events.

The applicant has indicated the site will be developed in multiple phases. The commercial, Masjid and a portion of the single-family lots will be developed in the initial phase. The elderly housing, the remaining single-family homes in a subsequent phase and the community center and school in a final phase.

B. EXISTING CONDITIONS:

The eastern portion of the site is vacant and grass covered with a scattering of trees. A few new homes have been constructed within the previously approved PD-R portion of the development. West 40<sup>th</sup> Street has been improved with curb and gutter and sidewalk. Street improvements are not in place along Potter Street or Whitfield Street. Other uses in the area include a manufacturing facility in the old Borden Plant and non-residential uses are scattered along Colonel

Glenn Road. The areas to the west and north of the site are predominately residential uses.

C. NEIGHBORHOOD COMMENTS:

As of this writing, staff has received several informational phone calls from area residents. All property owners located within 200-feet of the site along with the John Barrow and Westwood Neighborhood Associations were notified of the public hearing.

D. ENGINEERING COMMENTS:

PUBLIC WORKS CONDITIONS:

1. Due to the proposed use of the property, the Master Street Plan specifies that West 40<sup>th</sup> Street for the frontage of this property must meet commercial street standards across the parking lot and school frontage. Dedicate right-of-way to 30 feet from centerline.
2. Due to the proposed use of the property, the Master Street Plan specifies that Whitfield Street for the frontage of this property must meet commercial street standards. Dedicate right-of-way to 30 feet from centerline.
3. A 20 foot radial dedication of right-of-way is required at the intersection of West 40<sup>th</sup> Street and Whitfield Street.
4. Potter Street is classified on the Master Street Plan as a residential street. A dedication of right-of-way 25 feet from centerline will be required.
5. With site development, provide the design of street conforming to the Master Street Plan. Construct one-half street improvement to Potter Street including 5-foot sidewalks with the planned development. The new back of curb should be located 13 feet from centerline. Potter Street is scheduled to be improved by the City of Little Rock. Per City code, at the time of development, the adjacent property is required to make street improvements or provide a payment in-lieu of construction until the time the construction bids are open for the City of Little Rock project.
6. With site development, provide the design of street conforming to the Master Street Plan. Construct one-half street improvement to Whitfield Street including 5-foot sidewalks with the planned development. The new back of curb should be located 15.5 feet from centerline. At box culvert under Colonel Glenn Road was placed in the Whitfield Street right of way. The street is shown to jog to the east and intersect Colonel Glenn Road on property owned by AHTD. Permission must be obtained from AHTD for Whitfield Street to be constructed on AHTD property.
7. Obtain permits for improvements within State Highway right-of-way from AHTD, District VI. AHTD has been contacted about constructing Whitfield Street on AHTD right of way.

8. The proposed east-west streets should be constructed to City of Little Rock standards. Are the streets proposed to be public or private? Turnarounds are required to be installed at the eastern ends or the eastern north-south driveway placed within a public access easement. Access easements must be designed with concrete aprons. Curb radius within the access easement must be designed for an SU-30 vehicle with a 60 foot turning radius.
9. No residential waste collection service will be provided on private streets unless the property owners association provides a waiver of damage claims for operations on private property. In addition, the following comments must be agreed to for collection and recycling service: 1.) service will be provided to one side of the through easements/alleys which will require everyone to place their carts on the side of the easement/alley as selected by the City of Little Rock; 2.) service will not be provided to a dead-end alley. The easement/alley must have a separate entrance and exit; 3.) the City of Little Rock is not liable for damage to the easement/alley; 4.) if easement/alley is obstructed on service day the City of Little Rock will not return until the following week for pick up; 5.) yard waste will not be picked up in the rear easement/alley. Yard waste is to be placed at the curb on the street in front of house; 6.) a letter from the property owners association must be provided stating all residents unanimously agree to all of the above conditions.
10. Driveway locations and widths do not meet the traffic access and circulation requirements of Sections 30-43 and 31-210. The width of a driveway must not exceed 36 feet.
11. Driveway locations and widths do not meet the traffic access and circulation requirements of Sections 30-43 and 31-210. The driveway spacing on West 40<sup>th</sup> Street and Whitfield Street is 250 feet from other non-residential driveways and streets and 125 feet from the property line. The driveway spacing on Colonel Glenn Road is 300 feet from other non-residential driveways and streets and 150 feet from the property line.
12. Prepare a traffic study for the school for student pickup and drop off. Vehicles are not permitted to stack on City streets. The study should include vehicle stack locations, vehicle stack distances, times of stack, number of students, existing and proposed traffic flows and volumes.
13. In accordance with Section 32-8, no obstruction to visibility shall be located within a triangular area 50 feet back from the intersecting right-of-way line (or intersecting tangent lines for radial dedications). Show proposed gates and fencing.
14. Repair or replace any curb and gutter or sidewalk that is damaged in the public right-of-way prior to occupancy.
15. A grading permit in accordance with Section 29-186 (c) and (d) will be required prior to any land clearing or grading activities at the site. Other than residential subdivisions, site grading and drainage plans must be submitted and approved prior to the start of construction. Are areas proposed to be advanced graded with construction on another phase?

16. Stormwater detention ordinance applies to this property. Show the proposed location for stormwater detention facilities on the plan.
17. If disturbed area is one (1) or more acres, obtain a NPDES stormwater permit from the Arkansas Department of Environmental Quality prior to the start of construction.
18. Street Improvement plans shall include signage and striping. Public Works must approve completed plans prior to construction.
19. Per the Master Street Plan, parking is restricted to one side of the street on a 24 feet wide street. Show on the plan now and on the final plat and bill of assurance, the area along the street where parking is allowed.
20. Street names and street naming conventions must be approved by Public Works. Contact Glenn Haley at (501) 371-4537.
21. In accordance with Section 31-210 (h)(12), access driveways running parallel to the street shall not create a four-way intersection within 75 feet of the future curb line of the street.
22. Damage to public and private property due to hauling operations or operation of construction related equipment from a nearby construction site shall be repaired by the responsible party prior to issuance of a certificate of occupancy.

E. UTILITIES AND FIRE DEPARTMENT/COUNTY PLANNING:

Wastewater: Sewer available to this project.

Entergy: Entergy has facilities in the area. The developer should contact Entergy well in advance of construction so plans to meet service needs of new structures can be discussed. A moderate amount of work could be required if 3-phase service is requested.

Center-Point Energy: No comment received.

AT & T: No comment received.

Central Arkansas Water:

1. All Central Arkansas Water requirements in effect at the time of request for water service must be met.
2. A water main extension will be needed to provide water service to this property.
3. This development will have minor impact on the existing water distribution system. Proposed water facilities will be sized to provide adequate pressure and fire protection.

4. The Little Rock Fire Department needs to evaluate this site to determine whether additional public and/or private fire hydrant(s) will be required. If additional fire hydrant(s) are required, they will be installed at the Developer's expense.
5. Please submit plans for water facilities and/or fire protection system to Central Arkansas Water for review. Plan revisions may be required after additional review. Contact Central Arkansas Water regarding procedures for installation of water facilities and/or fire service. Approval of plans by the Arkansas Department of Health Engineering Division and the Little Rock Fire Department is required.
6. Contact Central Arkansas Water regarding the size and location of the water meter.
7. A Capital Investment Charge based on the size of meter connection(s) will apply to this project in addition to normal charges. This fee will apply to all connections including metered connections off the private fire system.
8. If there are facilities that need to be adjusted and/or relocated, contact Central Arkansas Water. That work would be done at the expense of the developer.
9. Due to the nature of this facility, installation of an approved reduced pressure zone backflow preventer assembly (RPZA) is required on the domestic water service. This assembly must be installed prior to the first point of use. Central Arkansas Water requires that upon installation of the RPZA, successful tests of the assembly must be completed by a Certified Assembly Tester licensed by the State of Arkansas and approved by Central Arkansas Water. The test results must be sent to Central Arkansas Water's Cross Connection Section within ten days of installation and annually thereafter. Contact the Cross Connection Section at 377-1226 if you would like to discuss backflow prevention requirements for this project.
10. The facilities on-site will be private. When meters are planned off private lines, private facilities shall be installed to Central Arkansas Water's material and construction specifications and installation will be inspected by an engineer, licensed to practice in the State of Arkansas. Execution of a Customer Owned Line Agreement is required.
11. A Capital Investment Charge based on the size of meter connection(s) will apply to this project in addition to normal charges. This fee will apply to all connections including metered connections off the private fire system.
12. Existing waterline easement recorded as Inst. No. 89-66357 should be reflected on the plat. It appears that this will affect the buildable area on Lots 1, 11 and 23.

Fire Department: Place fire hydrant(s) per code. Maintain access. Contact the Little Rock Fire Department for additional information.

County Planning: No comment.

CATA: Site directly served by the #9 Barrow/West Central and #14 Rosedale.

Parks and Recreation: No comment received.

F. ISSUES/TECHNICAL/DESIGN:

Planning Division: This request is located in the Boyle Park Planning District. The Land Use Plan shows Low Density Residential (RL) and Light Industrial (LI) for this property. Residential Low Density is for single-family homes at densities no greater than six (6) dwelling units per acre. The Light Industrial category provides for light warehouse, distribution or storage uses, and/or other industrial uses that are developed in a well-designed "park like" setting. The applicant has applied for a rezoning from PRD (Planned Residential District), C-3 (General Commercial District) and MF12 (Multi-family District 12 units per acre) to PCD (Planned Commercial District) to allow for the development of a mixed office commercial center along Colonel Glenn Road and Whitfield Street; a Mosque with community center and school at Whitfield and 40<sup>th</sup> Streets; and a residential area with detached and attached housing at 40<sup>th</sup> and Potter Streets.

Master Street Plan: Colonel Glenn Road is shown as a Principal Arterial and both Whitfield and Potter Streets are Local Streets on the Master Street Plan. A Principal Arterial is to serve through traffic and to connect major traffic generators or activity centers within the urbanized area. Entrances and exits should be limited to minimize negative effects of traffic and pedestrians on Colonel Glenn Road since it is a Principal Arterial. The primary function of a Local Street is to provide access to adjacent properties. Local Streets that are abutted by non-residential zoning/use or more intensive zoning than duplexes are considered as "Commercial Streets". A Collector design standard is used for Commercial Streets. These streets may require dedication of right-of-way and may require street improvements for entrances and exits to the site.

Bicycle Plan: A Class II Bike Lanes are shown along Colonel Glenn Road. Bike Lanes provide a portion of the pavement for the sole use of bicycles.

Landscape:

1. Site plan must comply with the City's landscape and buffer ordinance requirements.
2. Street buffers will be required at six (6) percent of the average depth of the lot. The minimum dimension shall be one-half ( $\frac{1}{2}$ ) the full width requirement but in no case less than nine (9) feet.

3. Interior landscape areas shall compromise eight percent (8%) of any vehicular use area containing twelve (12) or more spaces.
4. Landscape areas shall be provided between the vehicular use area used for public parking and the general vicinity of the building, excluding truck loading or service areas not open to public parking. These areas shall be equal to an equivalent planter strip three (3) feet wide along the vehicular use area.
5. An automatic irrigation system to water landscaped areas will be required.
6. Prior to the issuance of a building permit, it will be necessary to provide an approved landscape plan stamped with the seal of a Registered Landscape Architect.
7. The City Beautiful Commission recommends preserving as many existing trees as feasible on this site. Credit toward fulfilling Landscape Ordinance requirements can be given when preserving trees of six (6) inch caliper or larger.

G. SUBDIVISION COMMITTEE COMMENT: (March 12, 2014)

The applicant was present representing the request. Staff presented an overview of the development stating there were a number of outstanding technical issues associated with the request. Staff questioned the various aspects of the development requesting additional information concerning the school, the activities of the community center, the proposed retail uses, the details of the proposed elderly housing and the dimensions for the proposed residential lots.

Public Works comments were addressed. Staff stated right of way dedications and street improvements were required on the abutting streets. Staff stated improvements to Potter Street would be at the expense of the developer until such time as the project was bid. Staff stated the driveway locations and widths did not comply with the typical standards of the Subdivision Ordinance nor the Master Street Plan. Staff requested the applicant prepare a traffic study to determine the impacts of the proposed school on the abutting City streets.

Landscaping comments were addressed. Staff stated street buffers, interior landscaping and/or screening would be required at the time of development. Staff stated an automatic irrigation system would be required to water landscaped areas on the site.

The applicant stated based on the number of comments provided by staff they were requesting a deferral of the item to the May 15, 2014 meeting.

Staff noted the comments from the various other agencies. There were no more issues for discussion. The Committee then forwarded the item to the full Commission for final action.



H. ANALYSIS:

Based on comments raised at the March 12, 2014, Subdivision Committee meeting the applicant has submitted a response indicating they are not at the point of providing a final development plan for the site. The applicant is requesting the City review the development and approve a generalized site plan to allow them to move forward with financing of the future construction on the site. The applicant has stated at the time financing of the development has been approved a full review by the City's Planning Commission and the Board of Directors will be requested as an amendment to the PCD zoning. With the current request the City is approving the potential allowable uses for the site. The site plan must comply with the development standards at the time the request for the final review is made by the applicant.

The development is proposed as a mixed use development. The uses include residential, single-family and elderly housing, a community center, a school, a Masjid, office and retail uses. The intent is the single-family homes will be offered on individual lots for sale. The applicant has stated any multi-family housing will be limited to elderly housing with the age limited to persons defined as elderly by the federal housing administration. The school is proposed with grades K to 6<sup>th</sup> serving a maximum of 100-students. There will be 6-teachers, 1-administrator and 1-secretary. A daycare center is also proposed with a maximum of 50-children. Personnel serving the daycare center will include 1-administrator and 5-aides. Transportation will be provided for the school and daycare children. The proposal includes 1-bus for the school, 1-van for the daycare and 1-van as an alternate.

The applicant has indicated the community center will be available for lease by the community at large and not limited to persons living within the New Africa Development. The community center will be available for rent for special events.

The applicant has indicated the site will be developed in multiple phases. The commercial, Masjid and a portion of the single-family lots will be developed in the initial phase. The elderly housing, the remaining single-family homes in a subsequent phase and the community center and school in later phases. The applicant has indicated prior to the development of each phase or multiple phases review and approval of the specifics of the plan will be sought from the City through a revision to the PCD zoning.

Staff is supportive of the request. The overall plan is somewhat similar to the originally approved PCD. The land area has expanded to allow the additional activities to include the retail aspect of the proposed development. The property is currently zoned PD-R, MF-12 and C-3 which would allow for the activities to occur as proposed. Staff does not feel the development plan as indicated by the applicant will adversely impact the area.

I. STAFF RECOMMENDATION:

Staff recommends approval of the request subject to the applicant providing complete and specific details and site plans for review and approval as a revision to the PCD zoning prior to any land clearing or grading on the site.

---

PLANNING COMMISSION ACTION:

(APRIL 3, 2014)

The applicant was not present. There were no registered objectors present. Staff presented the item stating the applicant had requested at the March 12, 2014, Subdivision Committee meeting the item be deferred to the May 15, 2014, public hearing. Staff stated they were supportive of the deferral request.

There was no further discussion of the item. The Chair entertained a motion for approval of the item as presented by staff. The motion carried by a vote of 11 ayes, 0 noes and 0 absent.

---

PLANNING COMMISSION ACTION:

(MAY 15, 2014)

The applicant was not present. There were no registered objectors present. Staff presented the item stating the applicant had submitted a request dated May 2, 2014, requesting deferral of this item to the June 26, 2014, public hearing. Staff stated they were supportive of the deferral request.

There was no further discussion of the item. The chair entertained a motion for approval of the item as presented by staff. The motion carried by a vote of 9 ayes, 0 noes and 2 absent.

---

PLANNING COMMISSION ACTION:

(JUNE 26, 2014)

The applicant was present. There were no registered objectors present. Staff presented the item with a recommendation of approval of the request subject to the applicant providing complete and specific details and site plans for review and approval as a revision to the PCD zoning prior to any land clearing or grading on the site.

There was no further discussion of the item. The chair entertained a motion for approval of the item as presented by staff. The motion carried by a vote of 10 ayes, 0 noes and 1 absent.